

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:08-CV-00268**

**WILLIAM E. SWEENEY, JR.,**

**Plaintiff,**

**v.**

**SPECIALIZED BICYCLE  
COMPONENTS, INC., TOPKEY  
CORPORATION AND MIDWEST  
MERCHANDISING, INC. d/b/a  
BIKESOURCE,**

**Defendants.**

**ORDER**

**THIS MATTER IS BEFORE THE COURT** upon Defendant Topkey Corporation's (Topkey) Motion to Dismiss pursuant to Rules 12(b)2, 12(b)5, and 12(b)6 of the Federal Rules of Civil Procedure. This Order will only address Defendant Topkey's Motion to Dismiss for lack of personal jurisdiction. Plaintiff William E. Sweeney (Sweeney) and Defendant Specialized Bicycle Components, Inc. (Specialized)<sup>1</sup> have requested time to conduct discovery related to Topkey having a business presence in North Carolina sufficient for personal jurisdiction. Accordingly,

**IT IS THEREFORE ORDERED** that the court will allow sixty days with which to conduct written discovery and/or depositions to be taken at Defendant Topkey's place of business in Taiwan, limited to the issue of Topkey's presence in the North Carolina forum. The court will deal with Topkey's Motion to Dismiss thereafter.

Signed: September 9, 2008



Graham C. Mullen  
United States District Judge



---

<sup>1</sup> Defendant Specialized has asserted cross-claims for contribution and indemnity.